

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

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|-----------------------------------|---|--|
| TEKEVA DESHUNA SHAW, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| DENTAL PRACTICE OF CORDOVA, |) | |
| NGOC H. TRAN, MID SOUTH ORAL |) | |
| SURGERY, NICHOLAS GERARD, |) | |
| CHRIST COMMUNITY BROAD |) | |
| DENTAL, ELIZABETH SHOCKLEY, |) | |
| ELIZABETH RICH, METHODIST |) | |
| GERMANTOWN HOSPITAL, JAMEE C. |) | |
| MARTIN, SHEA CLINIC, JON STAFFEL, |) | |
| DIAGNOSTIC IMAGING, HOLLIS |) | |
| HALFORD, III, CHRISTOPHER |) | |
| SOMOGYI, CHRIST COMMUNITY |) | |
| HEALTH SERVICES, KELLY SLY, |) | |
| UTHSC ENT, FLINN IMAGING CENTER, |) | |
| GEORGE S. FLINN, JR. WEST |) | |
| CLINIC/WEST CANCER CENTER, |) | |
| COURTNEY SHIRES, JILL CLARKE, |) | |
| NATALIE LNU, OTOLARYNGOLOGY |) | |
| CONSULTANTS OF MEMPHIS, ENT |) | |
| MEMPHIS, RANDE H. LAZAR, |) | |
| DYNAMIC DENTAL SMILES OF |) | |
| MIDTOWN, ROSIE I. RICHMOND, |) | |
| NAHON SAHAROVICH & TROTZ, PLC, |) | |
| GLENN K. VINES, JR., and JONATHAN |) | |
| C. EUGENIO, |) | |
| Defendants. |) | |

No. 2:24-cv-02268-SHL-tmp

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING COMPLAINT WITHOUT PREJUDICE**

Before the Court is Chief Magistrate Judge Tu M. Pham’s Report and Recommendation (“Report”), filed April 3, 2025. (ECF No. 11.) In the Report, the Chief Magistrate Judge recommends that the Court dismiss Plaintiff Tekeva Deshuna Shaw’s pro se Complaint for failure to state a claim and for lack of subject matter jurisdiction. (Id. at PageID 24.)

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for dismissal of a complaint for failure to state a claim. 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1) (2017). A district court reviews de novo only those proposed findings of fact or conclusions of law to which a party specifically objects; the rest are reviewed for clear error. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Shaw’s deadline to object to the Report was April 17, 2025, and no objections have been filed. The Court has therefore reviewed the Report in its entirety for clear error and finds none. The Report properly explains that Shaw’s “shotgun-style” one-paragraph complaint lacks any factual allegations to support claims against any of the Defendants, thus failing to state a claim for relief. The Report also accurately explains that this Court lacks jurisdiction over Shaw’s state-law based claims for medical malpractice, as all but one of the Defendants is, like Shaw, a resident of Tennessee, thus defeating diversity jurisdiction. See 28 U.S.C. § 1332. Furthermore, the Report notes that Shaw has failed to allege any amount in controversy, thus providing a separate reason for the inapplicability of diversity jurisdiction.

Therefore, the Court **ADOPTS** the Chief Magistrate Judge’s Report and **DISMISSES** the Complaint **WITHOUT PREJUDICE**.

IT IS SO ORDERED, this 23rd day of June, 2025.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE